



RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), AS AMENDED, RELATING TO AGRIBUSINESS ACTIVITIES.

WHEREAS, General Plan policies call for assisting the agricultural industry to ensure the continuation of agriculture as an important source of income and employment and supporting agricultural diversification; and

WHEREAS, agribusiness activities, defined in the land use ordinance (LUO) as accessory uses conducted on the same site where agricultural products are cultivated or raised, including transportation facilities used to provide for tours of the agricultural parcel, provide farmers with the opportunity to maintain and diversify their agricultural operations and increase employment and income; and

WHEREAS, examples of agribusiness activities allowed on an agricultural parcel include certain limited retail activities, motorized transportation systems used for tours, and certain farmer's markets; and

WHEREAS, the land use ordinance allows agribusiness activities on properties zoned AG-1 Restricted Agricultural District and AG-2 General Agricultural District under a conditional use permit-minor (CUP-minor); and

WHEREAS, some farmers, particularly those who operate small farms, have found that CUP-minor application requirements, which include the submittal of site plan drawings, photographs of the site and adjacent lands, building elevation drawings, sections and floor plans, a \$300 filing fee, and various information, are a deterrent to undertaking agribusiness activities; and

WHEREAS, furthermore, certain agribusiness activities, such as farm tours or U-pick operations, may not involve the construction of new buildings or structures to support such activities and, accordingly, would lack many of the adverse impacts which CUP-minor application requirements are intended to address; and

WHEREAS, the council finds that amending the land use ordinance to permit agribusiness activities that do not involve the construction of new buildings or structures on small farms would provide needed opportunities for the agricultural industry; and

WHEREAS, Section 6-1513 of the Revised Charter of the City and County of Honolulu 1973, as amended (RCH), provides that "[a]ny revision of or amendment to



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the zoning ordinances may be proposed by the council and shall be processed in the same manner as if proposed by the director [of planning and permitting]"; and

WHEREAS, Section 6-1513, RCH, further provides that "[a]ny such revision or amendment shall be referred to the director and the Planning Commission by resolution, which resolution shall be accompanied by supporting documentation sufficient to satisfy the director's usual requirements for the commencement of processing; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the director of planning and permitting is directed, pursuant to Section 6-1513 of the Revised Charter of the City and County of Honolulu 1973, as amended, to process the proposed amendment to Chapter 21, ROH 1990 (the Land Use Ordinance), attached hereto as Exhibit "A," in the same manner as if the proposal had been proposed by the director; and

BE IT FURTHER RESOLVED that the director of planning and permitting is directed to inform the council upon the transmittal of the director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and



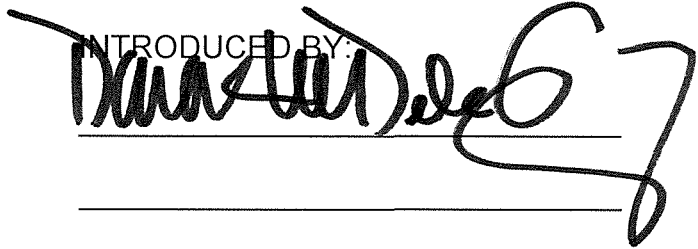
CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 09 - 176

RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution and the Exhibit A attached hereto be transmitted to the director of planning and permitting and the Planning Commission of the City and County of Honolulu.

INTRODUCED BY:



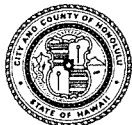
DATE OF INTRODUCTION:

MAY 11 2009

Honolulu, Hawaii

Councilmembers

EXHIBIT A



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

RELATING TO AGRIBUSINESS ACTIVITIES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to permit on small agricultural parcels agribusiness activities that do not involve the construction of new buildings or structures.

SECTION 2. Table 21-3 of Chapter 21, Revised Ordinances of Honolulu 1990, as amended ("Master Use Table"), is amended by deleting the "Agribusiness activities" use entry and adding new "Agribusiness activities, major" and Agribusiness activities, minor," use entries in the "Agriculture" category to read as follows:

"TABLE 21-3 MASTER USE TABLE

In the event of any conflict between the text of this Chapter and the following table, the text of the Chapter shall control. The following table is not intended to cover the Waikiki Special District; please refer to Table 21-9.6(A).

KEY: Ac = Special accessory use subject to standards in Article 5
 Cm = Conditional Use Permit-minor subject to standards in Article 5; no public hearing required (see Article 2 for exceptions)
 C = Conditional Use Permit-major subject to standards in Article 5; public hearing required
 P = Permitted use
 P/c = Permitted use subject to standards in Article 5
 PRU = Plan Review Use

ZONING DISTRICTS																					
USES (Note: Certain uses are defined in Article 10.)	P-2	AG-1	AG-2	Country	R-20, R-10	R-7.5, R-5, R-3.5	A-1	A-2	A-3	AMX-1	AMX-2	AMX-3	Resort	B-1	B-2	BMX-3	BMX-4	I-1	I-2	I-3	IMX-1

AGRICULTURE

[Agribusiness activities]		[Cm]	[Cm]																	
<u>Agribusiness activities, major</u>		<u>Cm</u>	<u>Cm</u>																	
<u>Agribusiness activities, minor</u>		<u>P</u>	<u>P</u>																	



CITY COUNCIL
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SECTION 3. The title of Section 21-5.10A, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-5.10A Agribusiness activities[.], major."

SECTION 4. Section 21-10.2, Revised Ordinances of Honolulu 1990, is amended by deleting the definition of "Agribusiness activities" and adding new definitions of "Agribusiness activities, major" and "Agribusiness activities, minor" to read as follows:

["Agribusiness activities" means accessory uses conducted on the same site where agricultural products are cultivated or raised. Included are transportation facilities used to provide for tours of the agricultural parcel.]

"Agribusiness activities, major" means accessory uses conducted on the same site where agricultural products are cultivated or raised that do not qualify as agribusiness activities, minor. Included are transportation facilities used to provide for tours of the agricultural parcel.

"Agribusiness activities, minor" means accessory uses conducted on the same site where agricultural products are cultivated or raised, provided the site on which agribusiness activities are conducted does not exceed 10 acres and the agribusiness activities do not involve the construction of new buildings or structures, including any transportation facilities."

SECTION 5. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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A BILL FOR AN ORDINANCE

SECTION 6. This ordinance shall take effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

MUFI HANNEMANN, Mayor
City and County of Honolulu